

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/618,844
Filing Date: July 14, 2003
Applicant: Emanuel Hendriks et al.
Group Art Unit: To Be Assigned
Examiner: To Be Assigned
Title: AUTOMATIC CONTROL OF SOD ROLL FLAPS
Attorney Docket: 7016S-000005

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR
SIGNATURE BY PERSON WITH SUFFICIENT PROPRIETARY INTEREST ON
BEHALF OF NONSIGNING INVENTOR(S) WHO REFUSE(S) TO SIGN OR CANNOT
BE REACHED (37 CFR 1.47(b))**

I, Joseph M. Lafata hereby declare that:

I. I am a citizen of United States of America,
residing at 638 Peachtree Lane, Grosse Pointe Woods, MI 48236.

II. I
_____ am a person with sufficient proprietary interest.
__xx__ am authorized by the following person or juristic entity with sufficient
proprietary interest,

Steiner Turf Equipment, Inc.
name of assignee or entity having sufficient proprietary interest

address of assignee or entity having sufficient proprietary interest

Attorney
title of person executing this declaration and authorization to sign on behalf of assignee or
entity having sufficient proprietary interest

III. By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for:

Full name of (first, second, etc.) Thomas Noyes

Nonsigning inventor who: refused to sign.

 X cannot be found or reached.

United States of America
Country of Citizenship of nonsigning inventor

9691 Canaan Center Road, Creston, OH 44217-9712
Last known address of nonsigning inventor

IV. Upon information and belief, I aver those facts that the inventor is required to state, 37 CFR 1.64(b).

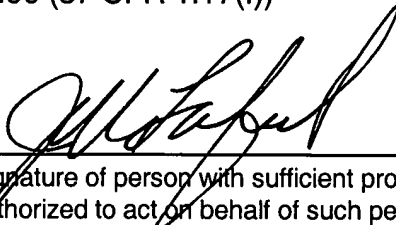
V. Accompanying this declaration is:

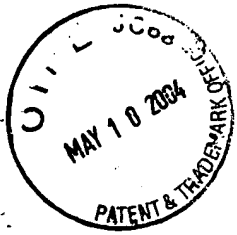
- (1) A STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR.
- (2) A STATEMENT BY PERSON SIGNING ON BEHALF OF NONSIGNING INVENTOR ESTABLISHING PROPRIETARY INTEREST,

to establish the proof of pertinent facts, and to show that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, and

- (3) the petition fee of \$130.00 (37 CFR 1.17(I))

May 19, 2004
Date:


Signature of person with sufficient proprietary interest or authorized to act on behalf of such person or entity



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**STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NONSIGNING INVENTOR (37 CFR 1.47)**

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application before deposited thereof in the Patent and Trademark Office.

(check next item, if applicable)

- ☒ Because signing on behalf of the nonsigning inventor is by a person or entity showing a sufficient proprietary interest, this statement also recites facts as to why this action was necessary to preserve the rights of the parties or to prevent irreparable damage.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

I. IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS:

I am a citizen of US,
residing at 1 Northbrook Lane, Shrewsbury, Pennsylvania 17361

II. EFFORTS DURING CONVENTION YEAR TO PREPARE APPLICATION AND OBTAIN INVENTOR'S SIGNATURE

The present application claims the benefit of an earlier filed provisional application which included disclosure. During the recent months, numerous attempts have been made to obtain the necessary signatures for each of the five inventors. During this time, letters enclosing a copy of the application papers, including the specification, claims, drawings, and Declaration have been forwarded. However, after numerous attempts, the signature of Mr. Thomas Noyes, who has retired from the company, could not be obtained in the time allocated.

III. LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR

Full Name of nonsigning inventor: Thomas E. Noyes

Last known address of nonsigning inventor: 9691 Canaan Center Road, Creston, OH 44217-9712

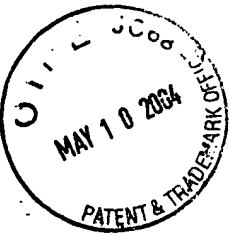
IV. DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR

Attempts have been made to obtain the inventor's signature by writing to his last known address and calling his last known phone number and leaving a message requesting a return phone call to make arrangements to have the Declaration executed. It is believed that the inventor is temporarily unavailable and should be returning shortly.



JOSEPH M. LAFATA

Date: May 10, 2014



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**STATEMENT ESTABLISHING PROPRIETARY INTEREST BY PERSON
SIGNING ON BEHALF OF NONSIGNING INVENTOR**

I. I, Joseph M. Lafata, (*name of person making statement*)
residing at 638 Peachtree Lane, Grosse Pointe Woods, MI 48236

am the person signing the declaration on the above-identified application on behalf
of the nonsigning inventor and make this statement as to the facts establishing my
proprietary interest.

II. As of the date I signed the declaration for this application, the proprietary interest in
this invention:

- ☐ belonged to me.
☒ belonged to the following juristic person:

Steiner Turf Equipment, Inc.
name of company or other juristic person

address of company or other juristic person

and I am authorized to sign the statement on behalf of the juristic person, my title
being: Attorney

III. A. I establish the proprietary interest by:

- (d) ☐ attaching a copy of the assignment of this invention by the nonsigning inventor.
- (e) ☒ attaching a copy of the agreement whereby the nonsigning inventor agreed to assign this invention.

OR

B. ☐ Although there is no assignment or written agreement to assign, a sufficient proprietary interest is demonstrated by the attached employee assignment agreement establishing that a court of competent jurisdiction would, by the weight of authority in that jurisdiction, award title in the invention to me or the legal entity on whose behalf I have authority to sign.

IV. ASSIGNEE'S STATEMENT

In accordance with 37 C.F.R. § 3.73, the assignee hereby states that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

V. PROOF OF NEED TO PREVENT IRREPARABLE DAMAGE OR PRESERVE THE RIGHTS OF THE PARTIES

Date: May 10, 2004


signature of person making statement